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THE LAW OF LANDLORD AND TENANT. By Herbert Thorndike Tiffany. In two volumes. St. Paul. The Keefe-Davidson Co. 1910. pp. xxiv, 1255; xxiii, 1257-2343.

This treatise stands out as a distinct addition to our common-law literature, covering as it does an important subject both exhaustively and with discrimination.

The great length of the work is not, as has too often been the case with our manuals of law, indicative of information undigested and therefore prolonged and confused in the imparting. The wealth of material at the author's disposal has evidently been thoroughly considered; and the results worked in upon a framework resulting from thorough analysis of the subject. The book is admirably adapted to the needs of the practicing lawyer, for the author has neither hesitated to express his own views nor failed to pay due respect to that law which owes its existence to the decisions of courts.

A minute examination of the author's treatment of a few questions shows an inconsistency between his statement on page 866 that a grantee of the fee takes subject to a lease not within the recording laws though he be a purchaser for value and without notice of the lease, and his statement on page 1274 that of two successive lessees the second, being without notice of the first, would take priority, — an inconsistency made more striking by the fact that the author, for authority for his second statement, refers to the citations noted for the first. The explanation of the inaccuracy of the latter statement is probably due to an unindicated assumption that the leases were subject to a recording act.

The subject of the respective rights of a transferee of future rent and a subsequent purchaser of the reversion is fully presented. The correct solution of the problem would seem to lie in recognition of the fact that rent is an interest in land and as such subject to the recording act, so that while a recorded transfer of rent or a transfer not within the recording act would take priority in all cases, a transfer which was within the recording act and not recorded would take priority over only such subsequent purchasers for value of the reversion as were chargeable with notice. This principle, which, of course, applies only to legal transfers of the rent as distinguished from equitable, is apparently recognized and, on p. 1112, endorsed by the author. Nevertheless in expressing his conclusions on the matter, on p. 1115, he seems to overlook or reject it, saying that the most equitable adjustment may be had "by applying the ordinary rules determining priorities as between *bonâ fide* purchasers."

The arrangement of the volumes is very good. Each begins with long chapter analyses, very full, arranged with headings, sub-headings, and so on. Each main heading of the several chapters is made a section of the book, with the result that the sections are very long, especially those covering the more important points. This is of some importance in affecting ease of reference, especially as the index is poor, but the chapter analyses are so full that little difficulty is experienced on this point.

The book is recommended as one that will be of great value in practice, in finding the authorities and in aiding in analysis.

A. R. G.

A TREATISE ON THE DE FACTO DOCTRINE IN ITS RELATION TO PUBLIC OFFICERS AND PUBLIC CORPORATIONS. By Albert Constantineau, B.A., D.C.L., Judge of Prescott and Russell, Ont. Rochester, N. Y.: The Lawyers' Co-operative Publishing Company. 1910. pp. xciii, 750.

Unless the title of this book is somewhat carefully scrutinized, its subject will seem to be larger than it really is. It is not a treatise on the *de facto* doc-